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## RECENT OCCURRENCES IN CANADA.

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*(From the "Monthly Repository," of February, 1836.)*

THE reader is doubtless aware, that a Royal Commission, consisting of Lord Gosford, who was appointed governor also, Sir Charles Grey, and Sir George Gipps, was last year dispatched to Lower Canada, for the purpose of investigating on the spot the grievances of which the people of that colony had complained. The object of the following pages is to detail the early proceedings of the commissioners.

In order to render such details intelligible, it is necessary briefly to sketch the circumstances which gave rise to the expedient of the commission.

The people of Canada, especially those of Lower Canada, had long complained of the evils connected with their local government. In the early part of 1834, they embodied their complaints in a series of resolutions, known, from their number, as the ninety-two resolutions. With no other alterations than usage demanded, these resolutions formed the subject matter of a petition to the Imperial Parliament; but before its arrival, the resolutions themselves were brought before the House of Commons by Mr. Roebuck, who, on the 15th of April, 1834, moved for a Select Committee, "to inquire into the means of remedying the evils which exist in the form of government now existing in Upper and Lower Canada."

A committee was accordingly granted by the House; but, by a bold mistatement on the part of Mr. Secretary Stanley, the inquiry was confined to the Lower Province, to the great disappointment of the people of Upper Canada.

Mr. Secretary Stanley informed the House, that in Upper Canada no differences existed between the several branches of the legislature; but that the people and their representatives were contented with the form of government. The House, of course, could not doubt the word of a Stanley, and the Upper Canadians were consequently deprived of the benefit of the inquiry.

It appeared afterwards, that this was a mere trick on the part of the right honourable Secretary. Not only were the people discontented, but Mr. Stanley was perfectly aware of their discontent. When out of office, he had corresponded with them on the subject; had excited them to demand redress; and had even pointed out the course to be pursued. "The legislative council," said Mr. Stanley, in a letter addressed to the Reformers of Upper Canada in 1829, "is at the root of all the evils complained of in both the provinces;" and speaking of the course to be pursued, the letter continues, "a con-

stitutional mode is open to the people, of addressing for the removal of the advisers of the crown (Mr. Stanley was not then in place), *and refusing supplies, if necessary, to support their wishes.*" Yet, in the face of this accurate knowledge of the state of opinion in Upper Canada, does the same Mr. Stanley afterwards make a false declaration, for the obvious purpose of keeping from the public eye a part of his doings as Colonial Secretary.

The labours of the committee were but of small avail to the people of Lower Canada. By one of the meanest subterfuges ever resorted to by a colonial minister, Mr. Stanley's successor, Mr. Rice, procured the suppression of the evidence. He sought a conference with the two Canadian delegates, Messrs. Viger and Morin. At this conference, which took place on the 22nd of June, he made the fairest professions of a conciliatory disposition towards Canada; professed great respect for the functions of the Assembly, equal in fact to that which he entertained towards the House of Commons; and only seven days after penned a despatch to Lord Aylmer, violating every promise he had made, and leaving the whole question in a much worse state, as far as facility of settlement is concerned—than he had found it.\*

The consequences may be easily conceived. The deceived people of the Canadas became highly excited. An election was about to take place in both provinces, and there seemed to be a general determination so to order matters that the result should impress upon this government a clear conception of the intensity and unanimity of popular opinion.

The result corresponded with this determination. In Lower Canada, the advocates of an elective council number no less than seventy-nine out of eighty-eight, of which the Assembly is composed, and in Upper Canada, their strength is thirty-five out of fifty-nine.

In Lower Canada, so impatient were the people that an expression of their wishes should be transmitted to England without delay, that a convention of the leading members of the Assembly assembled at Montreal in the December following, whereat a petition, reiterating their complaints, was unanimously adopted. In this petition the former petition was confirmed, and some grievances of recent occurrence were complained of; the vicious constitution of the Legislative Councils was again stated as the main cause of most of the evils they suffered; and the petitioners prayed, "that the Legislative Council as at present constituted be abolished; and that the people of this province be empowered to elect the second branch of the legislature in future, as the only means of pro-

\* The minutes of this conference, together with the despatch in question, were printed side by side, and circulated among members. The copies were transmitted by post from Gravesend, as the easiest mode of conveyance, and hence the paper was called the letter from "Mr. Rice's Gravesend correspondent."

ducing that harmony without which internal peace and good government cannot exist."

This petition, which was subsequently adopted by the House of Assembly, was presented to the House of Commons, on the 9th of March last, by Mr. Roebuck, and on the 20th to the House of Lords, by Lord Brougham. In the House of Commons considerable discussion took place; and it ended by a declaration by Sir Robert Peel, that his Majesty had been advised to send out a High Commissioner to investigate the grievances of the Lower Canadians on the spot.

For some time after, the Royal Commissionership went begging. It was offered to several, who refused it at once. Lord Canterbury accepted it at first, but after living a day or two under its dignity he threw it up, alarmed at the difficulties it would entail upon him. Lord Amherst was the next, but in the mean time the change of Ministry took place, and so great was the delay of the present Colonial Secretary in completing the arrangements, that there was time to hear the objections of the Canadian people to Lord Amherst, and it was conveniently managed that he should resign. It was then determined to send three Commissioners instead of one, and on or about the 21st of July the *Pique*, freighted with the Commissioners already named, sailed from Portsmouth, and after a passage of about a month landed her charge at Quebec.

The reader must not be surprised to learn that the people of Canada received the Commissioners with distrust. Each succeeding governor, during a long series of years, had been sent out to Canada with instructions to pursue a conciliatory line of policy. In the first instance this had imposed upon the people, and for a time the new governor had almost invariably been popular. But this popularity was usually of short duration. Governor after governor had submitted his judgment to the dominion of the organ of the obnoxious class—the Executive Council; and it was by no means an unwarrantable inference that Lord Gosford might possibly pursue the same course.

Several injudicious though trifling acts of Lord Gosford tended to strengthen this want of confidence on the part of the people.

In the first place the obnoxious Executive Councillors, of whose conduct and influence the people had complained, were sworn in *anew* by his lordship. A part of the duty of the Executive Council is to act as a privy council to the governor; and the people regarded the above act as a determination on the part of the Governor and Commissioners to receive as their advisers these obnoxious persons. As if to strengthen this suspicion, the proceeding was not only unnecessary but it was illegal, inasmuch as it is only in the event of the demise of the crown that such a course is prescribed by law. A letter, written in Canada, remarking on this *inadvertency*—for it was probably no more—says: "he has committed himself with the public by appearing

to choose these old vipers as his own councillors, and so encouraging the faction of the officials to hope that their reign will be perpetual."

The next injudicious act committed by Lord Gosford was attending a political ball given by the bureaucratic\* party to Lord Aylmer previous to his departure. Of this party, Lord Aylmer was for the time the idol. He had served their purpose by opposing himself to the wishes of the people on all occasions, and to do him outward honour whilst they inwardly despised him, was part of their selfish policy. It was of course important to this party to obtain the new Governor's apparent sanction of the course Lord Aylmer had pursued, and they therefore *respectfully* (!) invited Lord Gosford to do honour to the occasion. His Lordship, inadvertently it is presumed, accepted their invitation. In the mean time one of the other Commissioners, mixing more among different classes of the community than his confrères, saw the bait in time to enable Lord Gosford, in some degree, to correct the error into which he had fallen. The mode in which he escaped from the difficulty is thus related in a letter dated Montreal, 19th Sept:—

"The ball given to Lord and Lady Aylmer took place on the 15th, Lord Gosford and Sir George Gipps were present as expected, but they remained only an hour. They had the prudence to retire before supper, and thus avoided drinking Lord Aylmer's health. Sir Charles Grey did better. He remained in Montreal, and thus avoided giving any countenance to this party compliment to the late obnoxious governor. It was a great weakness in Lord Gosford to go to this ball. I am willing to believe that his Lordship acted from ignorance without having duly deliberated on his own singularly delicate position and the temper of the people. It is to be hoped that this will be the last of his *bévues*."

But this was a trifling error—a mere *bévue*, as the writer calls it, compared with that into which his Lordship subsequently fell in consequence of abandoning himself to the influence of the Canadian "oligarchy." The facts are these. In the summer of 1834, Lord Gosford's predecessor, Lord Aylmer, appointed to the office of judge a man who had been a violent partisan of the official party under the governorship of the Earl of Dalhousie. This man gave evidence before the Canada Committee of 1828, and so illiberal and partisan-like in its character was that evidence, that a mark was set against his name at the Colonial office, as being unfit for an office of trust; at least such is Mr. Rice's account of the matter. When the news of this appointment reached England in the autumn of 1834, Mr. Rice, then Colonial Secretary, addressed a despatch to Lord Aylmer, saying that he could not confirm Mr. Gale's appointment; of course it was the duty of Lord Aylmer to appoint some other person to the bench, but it so happens that the

\* Bureaucracy is the name given by the Canadians to the local government. It is sometimes called a clerkarchy.



despatches are always sent by the post-office packets, which are usually three or four weeks longer in delivering their letters than the New York "line of packets." The consequence was, that Lord Aylmer heard of the change of Ministry before he got Mr. Rice's despatch, and being under the domination of the Canadian officials, he disregarded the command of the ex-minister Rice. As a reward for thus disobeying the home government—as a reward for having brought Canada almost to a state of rebellion, Lord Aylmer has been appointed Commander-in-Chief in Ireland by a Government of which Mr. Rice still forms a part. Self-esteem must certainly be a quality totally absent from Mr. Rice's mind. No sooner were the Tories in power than the Earl of Aberdeen confirmed or allowed the appointment of this most obnoxious of judges.

When the Whigs returned to office it was of course expected by the Canadians that the original despatch of Mr. Rice would be enforced. "That despatch," said they, "has destroyed Mr. Justice Gale's moral influence, by virtually declaring him unworthy of the confidence of his Majesty, and now that the Minister who penned the despatch is again in power we shall without doubt be relieved." This expectation was further confirmed by Mr. Rice's speech of the 9th of March last, which reiterated the denunciation of Gale as an improper person to occupy the bench; yet when Mr. Rice and his party again returned to office nothing more was heard of the improper appointment, until the discontent of the people of Canada was again excited by the *third* injudicious act of Lord Gosford; which we shall relate in the language of the Canadian writer already quoted:—

"For my part, I fear that we shall be forced, by the imbecility or want of tact of the present incumbent, into unwilling opposition before many weeks. He appears to be gradually falling into the meshes of the official party. You will scarcely believe that any man could be guilty of the egregious folly I am about to relate. It seems that Vallière, the judge at Three Rivers (who, by-the-by, is a regular political turncoat), being ill, sent notice to the governor to have another judge appointed *pro tempore* in his place, to preside at the approaching term. Gosford, instead of taking the advice, or, at all events, the opinion of some of the friends of the country, wrote to Reid, our partisan Chief Justice. Here was a glorious opportunity of involving the governor, not to be neglected. Accordingly Reid wrote to say that Gale was the only man "he could spare." Gale was accordingly appointed, and thus Gosford has been dragged into a *quasi* approval of the original appointment of this man to the bench, though condemned by Rice in his place in the House.

"On learning the circumstance, Papineau, who was in Quebec, waited on the governor, unfolded to him Gale's political character, and the causes that led to the Assembly's petition against the nomination, and acquainted him with Rice's declaration in the House of Commons. Of all these circumstances Lord Gosford said he was ignorant.

"This is the *third* time that Gosford has committed himself."—*Montreal, Oct. 12.*

In another appointment the governor, Lord Gosford, does not appear to have been more happy. A Mr. Davidson, who is one of the most bitter of the party opposed to the Assembly and people, has been appointed to the office of Under (Civil) Secretary to the governor. The Canadian letter writer's reflections on this appointment and its consequences will serve to show the effects of these *mistakes* on the minds of the people of Canada.

"In conversation, Gipps and Grey talk of the case of the Constitutionalists as glibly as though they had been born and bred colonial shopocrats. All their absurd fallacies have evidently made their way into the Commissioners' minds without examination, even to the original fallacy, which has been over and over again demolished. We know the several statements of the facts disproving the fallacy, have been read by Gipps, yet he surrenders his judgment to the persons by whom he is surrounded. I fear he is already completely prejudiced against the Canadians and Liberals; and how should it be otherwise, when Davidson, who shared Caldwell's plunder, is under-secretary to the governor? This man is brother-in-law to Caldwell and Bowen, and is the prince of intriguers. Being under Walcott, of course Walcott sees only with his eyes, and hears only with his ears. Ogden and other supporters of Aylmer are at the office every day; of course, Gosford only does the will of the officials, and thus the system works." — *Montreal, Oct. 12.*

The "conversations" above alluded to, may, perhaps, seem but trifling matters, scarcely worth recording, but it must be borne in mind that Lord Gosford went among a people in a peculiar state of political excitement—a people who had been over and over again deceived by professions similar to those which the Colonial Office and the governor once more offered as claims upon their confidence, and that these, and even still more trifling circumstances, when joined with the graver matters which we have recorded, should subsequently have strewed Lord Gosford's path with obstacles, will scarcely surprise those who have considered to how great an extent public opinion is influenced by the concurrence of a number of apparently trifling circumstances—such even as the following when joined with other items in a governor's unpopularity, in a state of society literally torn asunder by a long series of political and social jealousies.

"Since I wrote to you, we have had a specimen of our new governor's 'spirit of conciliation.' He has invited Papineau and Viger, the popular leaders to meet—whom do you think? Why, the bureaucratic Attorney-general, Ogden, Andrew Stuart, the chairman of the 'Constitutionalists' (so called), and the renegade Dr. Couillard!!! This is precisely the sort of 'conciliation' that would invite the dog to meet the cat, and you will not be surprised to learn that it led to the result which might have been expected. A discussion arose between Viger and Andrew Stuart, on the comparative merits of the French and English writers on the civil law. Papineau and Viger contended that, though England could boast of many eminent legal writers, yet, on the Roman law, she had none to compare with Pothier

Domat, and others, while Stuart contended, that England had many far superior to Pothier; and, would you believe it, gave Blackstone as an instance! Sir Charles Grey agreed with Papineau and Viger, and appealed to that stupid pompous gentleman Ogden, who, of course, gave it in favour of the English writers. At length the dispute grew so warm, that Lord Gosford was obliged to put a stop to it, by that approved method 'a glass of wine,' and so ended the first chapter of the commissioners' essay on colonial conciliation."—*Montreal*, Oct. 12.

Such are the principal occurrences which tended to create distrust in the minds of the people of Canada, towards the royal commissioners, previous to the opening of the Session of the provincial legislature on the 27th of October, 1835.

The distrust of the people of Canada towards the new governor and the commissioners, must not, however, be wholly attributed to the circumstances we have described. The conduct of the Colonial Office, and of the government, would alone have rendered the people suspicious of the sincerity of the conciliatory professions with which they were amused. In all the petitions of the House of Assembly, complaints had been made of the improper legislation of the imperial parliament on matters relating solely to their "internal affairs." The act conferring upon the Canadas local legislatures, of course gave up internal legislation to the colonists themselves, and the subsequent interference of the imperial parliament, they contended was unconstitutional and unjust. The acts they complained of were three,—commonly called the Canada Trade Act,—the Canada Tenures Act,—and the British American Land Company's Act. Of these, Mr. Roebuck (who, in the interval between the delivery of his speech, and the sailing of the *Pique*, had been requested to act as agent to the Assembly and people of Canada) demanded the immediate repeal, as a preliminary step to the operations of the royal commission, in order that the people of Canada might have some evidence of the sincere desire of ministers to do them justice. Two other preliminaries demanded by Mr. Roebuck at the same time, were, first a guarantee that the revenues of the province should not again be seized by order of the colonial minister, without the authority of the Assembly of Canada; and second, that an inquiry into the constitution of the legislative council should be included in the instructions given to the royal commissioners. None of these demands were complied with.

The meeting of the provincial parliament was looked for by all parties with intense anxiety. The liberal party, including the great majority of the Assembly (say seventy-nine or eighty, out of eighty-eight), did not certainly expect much from the Commission; on the other hand, the colonial officials had not much to congratulate themselves upon. It had been officially signified to them, that many of the abuses by which they profited, would be inquired into; and several trivial



circumstances were by them also considered as boding them no good. Lord Aylmer, among other modes of playing into their hands, had refused to grant a warrant for the advance of the money for the contingent expenses of the House of Assembly. The effect of this had been to put a partial stop to the business of legislation. The officials desired a continuance of this course, and the papers devoted to their cause at first boldly asserted that the said expenses would not be granted; as the Session approached however, it was stated they would be granted, but with such obnoxious conditions that the Assembly would be compelled to refuse to accept them. The day before the meeting of the provincial parliament, the "Constitutionalists," as they call themselves, ventured to address his lordship, praying him not to grant the contingencies. His Lordship told them that the course to be adopted, with regard to the contingencies, had been already determined on, and that in twenty-four hours the intentions of government would be communicated to the Assembly. This was a severe rebuff to the anti-popular party, whose fury was thereby excited in an extraordinary degree.

At length the day of the meeting of the provincial parliament came. It was of course expected that one of the earliest acts of the governor would be to lay before the legislature a copy of the royal instructions to the Commissioners. This was not done. Lord Gosford's speech did not materially differ from governors' speeches in general, except that it was somewhat more explicit, and therefore longer. It certainly mentioned the Commission, but in all other respects no topic was touched that might not have found a place in any governor's speech.

The writer, whose letters have already been quoted, characterizes the speech as—except on a couple of points\*—"a tissue of liberal nothings, very explicit on matters of little or no importance, whilst all matters of primary importance are put off to a future day!" Reminding the reader that the writer quoted is one of the popular party, there is no difficulty in understanding that the "matter of primary importance," which is not included in the speech, is the reform which more than nine-tenths of the people of Canada have demanded in the constitution of the legislative council—their mimic "House of Lords." All minor reforms the people of the colony consider as nearly useless. "The council," say they "is the parent of all the evils we have suffered, and if you were to remove all those evils to-morrow, allowing the cause thereof to remain, a very short time would suffice to produce an equally abundant crop." In fact the catalogue of grievances which the Canadians put forward in 1834, was merely intended as evidence of what the system had produced, and never intended for

\* These points are the granting of the contingencies, and the giving up the provincial revenues to the Commons' House of Assembly.

special and individual redress, which the people of Canada were too far advanced in political knowledge to believe to be possible. Yet what is the course pursued by the governor?—he talks to the Assembly of removing some of the evils of which they had complained, but says not one word of the only reform for which the majority of the people appear to care.

At the same time that this grand omission is likely to confirm the discontent of the majority of the people of Lower Canada, there is quite enough of reform to raise up an equal, if not a greater, amount of discontent in the minds of the minority. There seems to be a disposition on the part of the governor to give up to the Assembly the full and complete control of the provincial revenues. This the official party and their friends have always resisted. To be really responsible to the Assembly will be much less convenient to them, than a mere nominal responsibility to a superior authority located at a distance of 3,000 miles. There is also to be a more equitable distribution of offices among the different classes of the community. This is extremely obnoxious to the party now enjoying a species of monopoly. No future chief justice Sewell—so says the governor—is to be permitted to obtain seven or eight lucrative offices for his own children; no future colonial civil secretary (Cochran) is to usurp five or six posts in his own person; no future commissioner of crown lands (Felton) is to obtain estates of 1,200 acres for each of his eight children. These specific reforms of course draw down upon the local government the hatred both of the officials in possession and the officials expectant; which hatred being in excess would not have been greater than it is, had the government gone a step further and satisfied the mass of the people.

The answer of the Assembly to the speech from the throne was couched in courteous but firm language. For all the good promised by the speech his Majesty was thanked, besides which the Assembly took occasion to reiterate its demand for *an Elective Legislative Council* and an Executive Council responsible, like the English Ministry, to the Commons of the country.

Some further particulars relative to the address in answer to the speech will be gleaned from the following extracts from a letter from the writer already quoted, which extract is the more interesting as it explains the relation in which Lord Gosford and the Assembly stand to each other. In relation to the Assembly he is the Governor of Canada; with the Commissioners the Assembly has nothing in reality to do

“You will perceive that, in the answer to the speech, the Assembly has abstained from recognizing or alluding to the Commissioners. The speech from the throne was evidently a trap to gain such a recognition: but the Assembly is too jealous of its own position to do so. Lord Gosford was distinctly told, before the session opened, that the Assembly could not recognise the Commission; and I am told that

his lordship acknowledged that he did not expect it. Thus the footing the Assembly and the Commission are on, in relation to each other, is this:—Whatever the Assembly desires of the Commission, they ask of the governor; whilst, on the other hand, whatever the Commission desires of the House is applied for by the governor, in what the old school politicians call the constitutional manner. From this you will perceive at once the nature of the Commissioners—they are merely a sort of temporary executive Council, placed there to advise the governor. This is the opinion of all here, and I myself am inclined to deem it correct. Whether subsequent occurrences will cause this opinion to be given up, I cannot now say. It is thought that the Commissioners will not visit the country parishes—they have sufficient evidence of the unanimity of the whole country to render such a step unnecessary. They have, however, announced their intention of visiting Montreal next summer, and it is possible they may go to the Chambly districts. The ‘five confederated counties’ would be worth their examination, in a political point of view. Such a visit would give them an idea of the intensity of public opinion among the most intelligent of the population.”—*Quebec, 2nd December.*

After some further observations which need not be quoted, the letter goes on to state that—

“The elective council question is thus evaded. The sub-Commissioners have been heard to say that an elective council should be granted, but for the mixed origin of the people. Well, then, was the reply—grant an elective council to Upper Canada. The Upper Canadians demand an elective council, and are not of ‘mixed origin.’ ‘True,’ rejoined the wily sub-Commissioners, ‘but there is not the unanimity’ which prevails in Lower Canada.” \* \* \*

The “sub-Commissioners” are certainly most skilful dialecticians. Here the Canadians are certainly reduced to a most cruel dilemma. The Lower Canadians consist of about 450,000 persons of French origin, and 150,000 of “other origin;” of these, nearly all the first are in favour of “the Elective Principle,” as are also half, or perhaps two-thirds of the latter.\* In other words about nine-tenths of the whole people desire an elective council. But although nearly *unanimous* they are of “mixed origin” and so according to the doctrine of the sub-Commissioners they are to have no reform. In Upper Canada on the other hand, the argument is shifted to suit the circumstances. There the people are not of mixed origin, but then they are not unanimous. It is only *two-thirds*† of the whole population that is in favour of reform, and so reform is to be denied until the opposition of the minority can be nullified.

A more atrocious political doctrine was, perhaps, never broached. Its effect would be to perpetuate all existing abuses,

\* The numbers indicated by the Election returns are 479,500, represented by persons in favour of the Elective principle, and 32,500 by members opposed thereto. See article Canada in our September number.

† This was the proportion in 1834. There is reason to believe that since then the Reformers of Upper Canada have greatly increased. Questions of Reform have gained strength in the Assembly by discussion; and there is, out of the House, an extensive organization of Reform Association which ought to be regarded as a striking sign of the times.

to render reform impossible, and virtually to give up the governing power to the minority. Taking the population of the two Canadas together at 1,000,000, the utmost number of persons represented in the two Assemblies by persons opposed to the elective principle, is 175,000, or not much over *one-sixth* of the population, and yet effect is still to be given to the will of this minority by the abominable doctrine alluded to in the above extract.

Every newspaper received from the Colony—and they now (January 26th) reach as late as the 24th of December—bears some evidence that the partial improvements which have taken place under Lord Gosford's administration are wholly insufficient to quiet the country. The determination of the Assembly is to adhere to their demand, for "the great remedial measure—an elective second Chamber," and with nothing short of this will they be contented. All other reforms, say they, would afford no security for the future. It is on a responsible legislature that they place their sole reliance. By withholding supplies (the course, be it remembered, recommended to their notice by Mr. now Lord Stanley, in 1829), they hope to attain their end. This course is the more proper in their case as the want of economy in the payment of public officers is one of the most evil results which the Assembly desires to remedy.

As evidence of the importance which the Canadians attach to this radical measure, and their determination to adhere to Lord Stanley's "constitutional mode," we again resort to the writer already quoted :

"I have just heard that it has been determined to allow the Commons of Lower Canada to have the whole control of the revenue. This is merely a piece of justice—of tardy justice. The Commissioners are, I learn, to report to the King from time to time. First, on Finances ; secondly, on the Tenure of Land : thirdly, on the Executive Council. I believe it is decided that we are to have a responsible Executive Council. But the chief thing, an elective Legislative Council, we are not to have yet awhile ; so you see we have a long struggle before us. I hope the House will not be cajoled into voting one penny of supplies till we get this essential reform.

"You are well aware that our chief reliance for enforcing reforms is the "constitutional method" of refusing to vote the supplies. Your House of Commons need not care for the Lords, if they would pursue our plan. But the truth is, your House of Commons is aristocratic, and does not desire collision with the Lords. Last year (1834), as you are aware, Spring Rice defeated us by dipping his hand into the military chest ; and Lord Gosford now asks us to refund it. This makes one begin to suspect that all this fuss about, and expense of, the Commission, are merely a clumsy expedient to get the money out of the Assembly. The officials want past arrears and future supplies ; and if they get them they will laugh at us—and so they ought. The Commissioners seem disposed to remedy small grievances, as tubs are thrown to whales. Will the assembly be thus cheated out of the public money ? I trust not. Not one farthing would I grant, until we get an elective council."—*Quebec, 2nd Dec.*

This is without doubt the obvious course to be pursued by the Assembly. The prime movers of the party desiring the retention of "things as they are" are the official personages themselves who now profit by the system, together with their friends and adherents who hope to profit by the same. The Legislative Council is emphatically *their* Chamber; the chief officials are members of it, and while it exists as at present constituted, it will represent their will and their interests. The voting of supplies is the only case wherein the will of the people can have force, and there is nothing improper on the part of the Assembly in thus determining to make the control which the constitution gives them over the public money a means of enforcing wholesome reforms. If the House of Assembly grant the supplies, it is quite clear that the object of the officials will be gained. The Assembly might still amuse themselves by legislating on useful measures, but it would be mere lost labour. If our House of Commons were elected as the Canadian Assembly is—by the free voice of the people, a similar course would be frequently resorted to. Supplies would be withheld until the course to be pursued by the Minister, and perhaps by the House of Lords also, should be made known. If the Lower Canadians now give the supplies, their work will be to be recommenced, and they will not regain their present advantageous position until they have again brought the gentlemen represented by the council, to their present deplorable condition.

With the conciliatory conduct and accommodating spirit of Lord Gosford towards the Assembly, the members of which it had been the custom of former governors to despise and condemn, the people of Canada seem to be perfectly, and it may be added, justly satisfied. Courteous themselves, they naturally feel the want of it in others, and the haughty bearing of their former military governors had, in almost all cases, disgusted them. The mild and gentlemanly demeanour of Lord Gosford is certainly an improvement in the mode of governing Canada.

The minor reforms that are to take place will also be not without benefit; but, if it be the opinion of the colonial minister and of his colleagues, that those trifling reforms will silence the cry of nearly the whole Canadian people for an elective council, they will speedily discern their error. The people of Canada, notwithstanding what has been said to the contrary by interested persons, are in a very respectable state of intelligence, especially on political matters. What they have already effected is evidence of this. Like their English fellow subjects they will doubtless take all they can get, but they will never cease to agitate the question of reform until they obtain the full control of their internal affairs, and this they feel they can never succeed in, while the irresponsible legislative council is permitted to remain. Lord Glenelg may take the case of the English Reform Bill as a proof that a preliminary step will



not satisfy an intelligent people. Moreover, the doctrine of *finality* has not yet found its way into Canada.

It has already been stated that, although the mass of the people are not satisfied, the threatened reforms are such as to excite the fury of the colonial Tory party. This, by the way, is invariably the case with partial measures. If one abuse be attacked, the whole tribe of those who profit by abuses is sure to be let loose upon the minister sanctioning the reform. This is the case in Canada. The local and imperial governments, are incurring the very maximum of official obloquy by the partial reforms they have already sanctioned, whilst those reforms have not been sufficient to obtain for them the good will of the mass of the people. The wise course is invariably to sanction the whole measure of reform at once. By such a course the good will of a grateful people would be secured, and the hatred of the factious minority could not be greater than it is. This principle should never be lost sight of by ministers, though it is every day violated.\*

The language of the colonial Tory party, and of their newspapers, towards the governor, the Commission, and the government of this country, is expressive at once of their rage and of their folly. In the cities of Quebec and Montreal exist two political clubs, dignified by the name of "Constitutional Associations," the members calling themselves Constitutionalists. The political principle—if such it can be called—by which these persons are guided, is—opposition to the elective principle.

Their present policy is to intimidate the government, and thereby to deter it from sanctioning those reforms, which justice, good policy, and the spirit of the times, unite in demanding.

The means of intimidation which these Constitutionalists have adopted are as follows:—

1st. To make it appear that they have the whole British population with them.

2nd. To show—that the whole population of Upper Canada are with them.

3rd.—that they are prepared to rebel.

4th.—that they are prepared to join the United States.

The first two fallacies have been already exposed in the *Monthly Repository* for September. It may however be well to recapitulate the exposure. The British inhabitants inhabit the "Townships," as they are called, situated south of the St. Lawrence. To make the claim of the "Constitutionalists" to

\* The Resolutions on the Baltic Timber Duties affords a curious illustration of this. The alteration proposed will destroy the colonial trade, but will not confer full benefit on the people. A measure of full benefit would have done no more evil but would have done three-fold good. Partial measures of good are almost always whole measures of evil, and therefore of obloquy.

represent the whole of the British population true, all the members of the provincial parliament returned by the Township should be Constitutionalists. This, however, is not the case. The largest British county, Stanstead, returned members in favour of the elective principle by a majority of three to one. Another British Township county, Drummond, returned a "Resolutionist" unanimously, whilst in the county of Sherbrooke, which is the strong hold of colonial Toryism, and of the British American Land Company, the "Constitutional" members prevailed only by a bare majority. Hence it is that the number of the Constitutionalists is so thoroughly contemptible—is in fact not over one-third of the whole British population. In fact out of the cities of Quebec and Montreal the Constitutionalists are utterly powerless, and even there they would scarcely be heard of but for a control, purely mercantile, over a noisy press.

In the upper province the minority is not quite so weak in numbers as in Lower Canada, but it is still a weak minority. Its force at the last election has been already stated at one-third of the population, but from the rapid progress of opinion, and the success of the principles of reform in Lower Canada, and in the mother country, the number has been considerably diminished, perhaps to one-fourth. The organization of the liberal party in Upper Canada, is moreover very complete. There is a "Central Canadian Alliance Society" at Toronto, the capital, of which the most able and energetic men are members. This society has branch societies all over the country. By means of these societies, a constant communication is kept up all over the province. This, however, is not all. In Lower Canada similar associations have been formed, which are also in communication with those of the Upper Province. At the opening of the Lower Canadian session, two influential members of the Toronto Alliance Society (W. L. Mackenzie, Esq., and Dr. O'Grady) visited Quebec for the purpose of communicating with the leading men of Lower Canada, on the course to be adopted for procuring that reform which both provinces desire. The result of this mission was satisfactory to the reformers of both provinces. As far, therefore, as the strength of parties in the Canadas is concerned, the British ministry need not be alarmed at the colonial Tory threat of rebellion.

As for a junction with the United States, the value of this threat may be tried by the *interests* of the party using it. The principle of the American government is, "that the people are the only legitimate source of political power." If independent Canada should desire to be admitted into the union, she would still retain her own form of government and laws, the only condition being that of giving up a portion of the sovereign power,—namely, making war, coining money, regulating external trade, &c.—to the general government. In return for this she would obtain a voice in the affairs of the union, by

sending members to Congress. As far as the state of *Le jeune Canada* might be concerned, the will of the majority would become law. The very reform which the Constitutionalists threaten to rebel about, would take place as a matter of course; their darling legislative council would become an elective senate, and even the governor himself would become subject to the popular will. We may, therefore, be quite certain that it will never be with the consent of the minority that the threatened junction with the United States will take place. As a party they would be utterly annihilated, and any move to carry their impotent threats into execution would be perfectly suicidal. An extract from the Quebec letter will serve to close these observations on the pretensions of the Canadian minority.

"In the meantime the little 'Constitutionalists' as they call themselves, are by no means satisfied with 'the speech.' Though it does not give us our rights, it threatens to rob them of some of their ill-gotten privileges. You will find them threatening war in all their reports, speeches, and resolutions. This is merely to frighten ministers, who are not aware how contemptible the party really is. Both the Quebec and Montreal Club of Constitutionalists have had a meeting. At the Montreal meeting, Adam Thom, the editor of a sort of colonial '*Age*,' spouted forth his threats. This fellow once had a paper called the '*Settler*.' In the early numbers of the paper in question, the public were made to believe that he was a perfect 'fire-eater,' and people really grew afraid of him. At last the cowardly rascal received a challenge, when he discovered that duelling was anti-Christian. Hereupon his own set cut him, and his paper assumed a chop-fallen air and died. Now he talks of being 'ready for action'—if it were really to come to action I have no doubt but this hypocrite would again resort to the Scriptures for arguments against fighting.


"Nothing can in fact exceed the rage of the Tory party, and especially on the granting the contingencies. They hoped to stop the business of legislation by inducing the governor to refuse to give the Assembly the means of going on. With Lord Aylmer, they succeeded. The means even of sweeping the House of Assembly, or of purchasing fuel, with the thermometer twenty-five below zero, were refused for two years, and the officials hoped to influence Lord Gosford to continue the evil. However they have been granted. Their papers abuse Gosford and his compeers roundly. Sir C. Grey they call 'cabbage head' (why, God knows), and they demand that Lord Gosford be impeached. I send you the papers that you may witness their fury.

"The most absurd part of the Tory raving is that which points at junction with the United States. If they were to put their threat into execution, that moment would seal their ruin. The great principle of the American democracy is election by the whole people, and, consequently, choice by the majority—where then would be the Tory minority? This is another specimen of the arguments used to frighten the British Ministry. Let it never be forgotten that the 'Constitutionalists' are not 50,000 out of a population of 600,000, and yet they bluster about rebellion!"

The course then which ought certainly to be adopted towards

the people of both Upper and Lower Canada does not appear to present any insuperable difficulty. Their internal affairs should be handed over to them with a guaranter against future interference. This might be done by a single Act repealing the obnoxious cases of interference of which they have complained and in the preamble enunciating the inexpediency of future interference. The Act which establishes an irresponsible council of life legislators is the 31st of Geo. III. c. 31. Portions of this Act have already been repealed by provincial statutes of both provinces. Hence it would not be necessary to legislate here on the subject. What has once been done might be done again. The governors of the two provinces might be instructed to give the royal assent to the necessary Acts for the erection of elective legislative councils; and should the present councils be found refractory, a "creation" might be resorted to for the purpose of procuring the passage of the Act in question. This plan would be far preferable to a new "Canadian Constitutional act," emanating from the parliament of this country, as it would in a manner be a pledge of the sincerity of the non-interference profession already alluded to.

With regard to "external affairs," that is, regulations concerning foreign trade, there has been no disposition on the part of the Canadians to interfere with this essentially imperial function of the mother country. It is their *internal affairs* only that they desire to controul. One of the arguments they have urged in favour of the reform they desire is, that it would bring the people of Canada and the imperial government more intimately acquainted with each other. The present oligarchy they have called "a screen between the people and the imperial government." They have likened that obnoxious minority to a jew money-broker, who has an interest in keeping his principals from becoming intimate with each other, and it has only been when urged almost beyond the point of rational endurance that they have ventured to remind the people of England of their strength. Let justice then be done to the intelligent people of the two Canadas, and we secure with them a warm and lasting friendship. The danger of a forcible separation lies, not in the impotent threats of the Canadian oligarchies, but in the continuation of a system of misrule, which must in time completely alienate the affections of the people from this the parent state.



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